REMARKS

Claims 2-6, 8-14, 16-20, 22-30 and 32-39 remain pending in the above identified application.

Rejections Under 35 U.S.C. § 103

To establish a *prima facie* case of obviousness, three basic criteria must be met. *See* MPEP §§ 706.02(j), 2143-2143.03; *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *Id.*

Claim rejections - 35 U.S.C. § 103(a)

Claims 2-6, 8-14, 16-20, 22-30, and 32-39 stand rejected as being allegedly obvious under 35 U.S.C. § 103(a) over U.S. Patent No. 5,815,683 to Vogler ("Vogler") in view of U.S. Patent No. 5,675,782 to Montague *et al.* ("Montague"), U.S. Patent No. 5,510,777 to Pilc *et al.* ("Pilc"), U.S. Patent No. 5,483,596 to Rosenow *et al.* ("Rosenow"), and U.S. Patent No. 5,872,847 to Boyle *et al.* ("Boyle"). Five separate references have been required to formulate the rejections in this case. Applicant respectfully asserts that there is no motivation to combine these five references. Absent a showing of a teaching or suggestion to combine the teachings or suggestions, a rejection under 35 U.S.C. 103(a) is inappropriate hindsight-based analysis. MPEP 2145. Moreover, the prior art references when combined fail to teach or suggest all the claim limitations. Finally, the large number of references necessary is an indication that the combination of elements of the present invention is not obvious. Reconsideration and withdrawal of the rejections are respectfully requested, as follows.

The Office Action cites col. 3, ll. 9-26 of Montague as disclosing presenting the user with a plurality of services for remote access and the use of user access rights with respect to applications which are controlled. The cited passage, however, does not disclose this element, but rather discloses "the network operating system determines the trustees that can have specific access rights assigned to them and returns a list of the trustees in a format that is independent of the network operating system on which the specific access rights are to be set."

Moreover, FIG. 2 of Montague, which is also cited in the Office Action, discloses access control for an entity on a network (col. 6, ll. 12-14), and does not disclose presenting a user a plurality of user authentication protocol options, authenticating the user according to at least one user authentication protocol, and determining user privileges based on the identity of the user and the level of authentication. Thus, at a minimum, Montague does not teach presenting to a user of the client a plurality of user authentication protocol options, each user authentication protocol option having a particular level of authentication associated with it, for authenticating the user according to at least one user authentication protocol and for determining user privileges based on the identity of the user and the level of authentication as specified in claim 6.

In addition, the Office Action cites FIG. 1 of Boyle as teaching validating and auditing a "signature," and specifically cites to elements 24, 26. However, these elements do not disclose validating and auditing a "signature." Rather, Boyle discloses "[t]he software embodiment of the SNIUs are implemented as a companion within computer hosts 24, 26, to provide network security without requiring additional hardware" (col. 5, ll. 38-41). Applicant fails to see the correlation between the claimed elements and the cited passage of Boyle. Moreover, the Office Action cites to col. 9, l. 65 through col. 10, l. 11 for providing additional security. FIG. 3, which is described in part in the cited passage, is a data flow diagram for the software secure network interface unit ("SNIU"). Boyle discloses trusted communications with association for communication between users on an Internet Protocol based computer network (abstract). Specifically, Boyle teaches a key embedded in a hardware device that performs the encryption, signature and authentication step. (col. 8, ll. 50-61). Boyle does not disclose

enabling the client to access the available services without storing the service communication code and keys at the client or having to carry or remember them as claimed in claim 6.

In sum, claim 6 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 6. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

Given that claims 2-5 and 8-14 depend from claim 6, it is respectfully submitted that these claim are patentable over Vogler, in view of Montague, Pilc, Boyle and Rosenow for at least the same reasons.

The Office Action fails to cite any specific passage for the rejection of claim 20 and only alleges "[c]laim 20 consists of a computer based method for implementing claim 6 and is rejected by the same prior art of record." However, even if the Office Action were to cite the same passages as were used in the rejection of claim 6, claim 20 is not rendered obvious.

The Office Action cites col. 3, ll 9-26 of Montague as disclosing presenting the user with a plurality of services for remote access and the use of user access rights with respect to applications which are controlled. The cited passage, however, does not disclose this element, but rather discloses "the network operating system determines the trustees that can have specific access rights assigned to them and returns a list of the trustees in a format that is independent of the network operating system on which the specific access rights are to be set."

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authentication protocol options, each user authentication protocol option having a particular level of authentication associated with it as specified in claim 20.

In addition, the Office Action cites FIG. 1 of Boyle as teaching validating and auditing a "signature," and specifically cites to elements 24, 26. However, these elements do not disclose validating and auditing a "signature." Rather, Boyle discloses "[t]he software embodiment of the SNIUs are implemented as a companion within computer hosts 24, 26, to provide network security without requiring additional hardware" (col. 5, ll. 38-41). Applicant fails to see the correlation between the claimed elements and the cited passage of Boyle. Moreover, the Office Action cites to col. 9, l. 65 through col. 10, l. 11 for providing additional security. FIG. 3, which is described in part in the cited passage, is a data flow diagram for the software secure network interface unit ("SNIU"). Boyle discloses trusted communications with association for communication between users on an Internet Protocol based computer network (abstract). Specifically, Boyle teaches a key embedded in a hardware device that performs the encryption, signature and authentication step. (col. 8, ll. 50-61). Boyle does not disclose enabling the client to access the available services without storing the service communication code and keys at the client or having to carry or remember them as claimed in claim 20.

In sum, claim 20 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 20. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

Given that claims 16-19 and 22-28 depend from claim 20, it is respectfully submitted that these claim are patentable over Vogler, in view of Montague, Pilc, Boyle and Rosenow for at least the same reasons.

The Office Action fails to cite any specific passage for the rejection of Claim 30 and only alleges "[t]his claim[ ] [has] limitations that is similar to those of claims 6 and 29, thus it is rejected with the same rationale applied against claims 6 and 29 above."

enabling the client to access the available services without storing the service communication code and keys at the client or having to carry or remember them as claimed in claim 30.

In sum, claim 30 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 30. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

The Office Action fails to cite any specific passage for the rejection of Claim 32 and only alleges "[t]his claim consist [of] a method for receiving the data in an advanced communication and secure network to implement claim 6 and is rejected by the same prior art of record." However, even if the Office Action were to cite the same passages as were used in the rejection of claim 6, claim 32 is not rendered obvious.

The Office Action cites FIG. 1 of Boyle as teaching validating and auditing a "signature," and specifically cites to elements 24, 26. However, these elements do not disclose validating and auditing a "signature." Rather, Boyle discloses "[t]he software embodiment of the SNIUs are implemented as a companion within computer hosts 24, 26, to provide network security without requiring additional hardware" (col. 5, ll. 38-41). Applicant fails to see the correlation between the claimed elements and the cited passage of Boyle. Moreover, the Office Action cites to col. 9, l. 65 through col. 10, l. 11 for providing additional security. FIG. 3, which is described in part in the cited passage, is a data flow diagram for the software secure network interface unit ("SNIU"). Boyle discloses trusted communications with association for communication between users on an Internet Protocol based computer network (abstract). Specifically, Boyle teaches a key embedded in a hardware device that performs the encryption, signature and authentication step. (col. 8, ll. 50-61). Boyle does not disclose using the stored security information to enable the user access to the secured network service without it requiring the user to supply the stored security information as claimed in claim 32.

In sum, claim 32 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 32. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

The Office Action fails to cite any specific passage for the rejection of claim 37 or claim 38 and only alleges "[t]hese claims have limitations that [are] [ ] similar to those of claim 32, thus they are rejected with the same rationale applied against claims 32 above." However, even if the Office Action were to cite the same passages as were used in the rejection of claim 32, claim 37 and 38 are not rendered obvious.

The Office Action cites FIG. 1 of Boyle as teaching validating and auditing a "signature," and specifically cite to elements 24, 26. However, these elements do not disclose validating and auditing a "signature." Rather, Boyle discloses "[t]he software embodiment of the SNIUs are implemented as a companion within computer hosts 24, 26, to provide network security without requiring additional hardware" (col. 5, ll. 38-41). Applicant fails to see the correlation between the claimed elements and the cited passage of Boyle. Moreover, the Office Action cites to col. 9, l. 65 through col. 10, l. 11 for providing additional security. FIG. 3, which is described in part in the cited passage, is a data flow diagram for the software secure network interface unit ("SNIU"). Boyle discloses trusted communications with association for communication between users on an Internet Protocol based computer network (abstract). Specifically, Boyle teaches a key embedded in a hardware device that performs the encryption, signature and authentication step. (col. 8, ll. 50-61). Boyle does not disclose using the stored security information to enable the user to access the secured network service without requiring the user to supply the stored security information as claimed in claim 37.

In sum, claim 37 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 37. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

However, even if the Office Action were to cite the same passages as were used in the rejection of claims 6 and 29, claim 30 is not rendered obvious.

The Office Action cites col. 3, ll. 9-26 of Montague as disclosing presenting the user with a plurality of services for remote access and the use of user access rights with respect to applications which are controlled. The cited passage, however, does not disclose this element, but rather discloses "the network operating system determines the trustees that can have specific access rights assigned to them and returns a list of the trustees in a format that is independent of the network operating system on which the specific access rights are to be set."

Moreover, FIG. 2 of Montague, which is also cited in the Office Action, discloses access control for an entity on a network (col. 6, ll. 12-14), and does not disclose presenting a user a plurality of user authentication protocol options, authenticating the user according to at least one user authentication protocol, and determining user privileges based on the identity of the user and the level of authentication. Thus, at a minimum, Montague does not teach presenting to a user of the client a plurality of user authentication protocol options, each user authentication protocol option having a particular level of authentication associated with it as specified in claim 30.

In addition, the Office Action cites FIG. 1 of Boyle as teaching validating and auditing a "signature," and specifically cites to elements 24, 26. However, these elements do not disclose validating and auditing a "signature." Rather, Boyle discloses "[t]he software embodiment of the SNIUs are implemented as a companion within computer hosts 24, 26, to provide network security without requiring additional hardware" (col. 5, ll. 38-41) Applicant fails to see the correlation between the claimed elements and the cited passage of Boyle. Moreover, the Office Action cites to col. 9, l. 65 through col. 10, l. 11 for providing additional security. FIG. 3, which is described in part in the cited passage, is a data flow diagram for the software secure network interface unit ("SNIU"). Boyle discloses trusted communications with association for communication between users on an Internet Protocol based computer network (abstract). Specifically, Boyle teaches a key embedded in a hardware device that performs the encryption, signature and authentication step. (col. 8, ll. 50-61). Boyle does not disclose

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In sum, claim 38 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 38. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

The Office Action fails to cite any specific passage for the rejection of claim 39 and only alleges "[t]his claim recites a server computer system (for communicating, security, access control and providing services) and web server (for presenting information to user) for implementing the system with the limitations recited in claim 6 and is rejected in view of the same prior art of record." However, even if the Office Action were to cite the same passages as were used in the rejection of claim 6, claim 39 is not rendered obvious.

The Office Action cites col. 3, ll. 9-26 of Montague as disclosing presenting the user with a plurality of services for remote access and the use of user access rights with

respect to applications which are controlled. The cited passage, however, does not disclose this element, but rather discloses "the network operating system determines the trustees that can have specific access rights assigned to them and returns a list of the trustees in a format that is independent of the network operating system on which the specific access rights are to be set."

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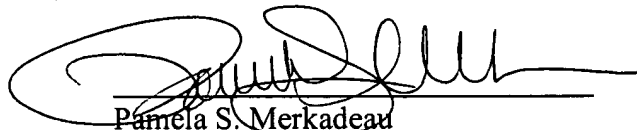
Claim 39 is not rendered obvious by the combination of the five references cited: Vogler, Montague, Pilc, Boyle and Rosenow. No combination of the five references cited teaches each and every element of claim 39. Furthermore, there is no suggestion or motivation in the references themselves to combine any of the references.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

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